

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

RUBEN GARCIA-HERRERA,

Plaintiff,

v.

KLAMATH COUNTY, OREGON,  
*an Oregon Municipal Corporation,*  
DENNIS GIBBS, ERIC GORITZ,  
AMANDA GRAHAM, RYAN KABER,  
JIMMY LEACH, and WESLEY  
PARKER, *in their individual and  
official capacities,*

Defendants.

Case No. 1:20-cv-01102-CL

ORDER

MCSHANE, Judge:

Magistrate Judge Mark D. Clarke filed a Findings and Recommendation (ECF No. 52), and the matter is now before this court. *See* 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72. Although Plaintiff did not file objections,<sup>1</sup> I review *de novo*. *United States v. Bernhardt*, 840

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<sup>1</sup> On June 9, 2023, Plaintiff submitted a large packet of documents to the Hatfield Courthouse. In October 2022, Judge Clarke warned Plaintiff that “frivolous filings will not be permitted. . . . Plaintiff has made numerous frivolous filings, including three separate Notices of Extrinsic Fraud (#34, #36, #37), and multiple other Notices and Certificates and Requests (#38, #39, #45). These filings consist of extraneous allegations and conspiracy theories . . . .” ECF No. 46, 2-3. Judge Clarke noted that other than responding to the pending motions to dismiss, Plaintiff must submit his filings to chambers to be screened and approved “prior to being filed on the docket.” After screening the large volume of documents recently submitted, the Court concludes these filings are frivolous. The filings are similar to other “sovereign citizen” documents Plaintiff has previously filed. The latest “Notice” is titled “Motion: to Special Equity by Special Deposit and payment to a special deposit order of the Payor or Beneficiary and is to be credited to depositor’s account as accord and satisfaction and payment in full and in the money of account of the United States of America, Article I, Section 10 (1) without prejudice. With 7 days time barred satisfaction and

F.2d 1441, 1445 (9th Cir. 1998). I find no error and conclude the report is correct. Magistrate Judge Clarke's Findings and Recommendation (ECF No. 52) is adopted. Defendants' motions to dismiss (ECF Nos. 40, 44) are GRANTED. This case is dismissed with prejudice.

IT IS SO ORDERED.

DATED this 21st day of June, 2023.

\_\_\_\_\_/s/ Michael J. McShane \_\_\_\_\_

Michael McShane  
United States District Judge

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payment in full." As the filings are frivolous and of large volume, the Court orders the Clerk not to docket this large volume of documents. Instead, because the Court is unsure if the documents contain confidential information, the Clerk shall destroy the documents.

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